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EXECUTIVE ORDER

DESIGNATING THE HIGHER EDUCATION COORDINATING BOARD
AS THE STATE POSTSECONDARY REVIEW ENTITY FOR THE
PROGRAM INTEGRITY TRIAD

WHEREAS, the Reauthorization Act for Higher Education, Part H (Program Integrity Triad), enacted in 1992, directs the Secretary of the United States Department of Education to enter into agreements with states in order to conduct or coordinate the review of postsecondary institutions' eligibility for Title IV financial aid funds. The Act directs each state to designate an entity responsible for complying with the Program Integrity requirements; and

WHEREAS, failure to comply with the requirements of the Program Integrity by a state, once federal funds are appropriated, may result in institutional ineligibility for Title IV financial aid funds; and

WHEREAS, it is the long-established policy of the State of Washington to uphold student consumer protection and quality postsecondary education, and to prevent financial aid fund abuse. The Higher Education Coordinating Board, by virtue of its statutory authority and advocacy for postsecondary education, has the responsibility for and commitment to this long-established state policy.

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the power vested in me, do hereby:

1. Designate the Higher Education Coordinating Board as the state postsecondary review entity for Program Integrity; and
2. Direct the Higher Education Coordinating Board to carry out the functions of Program Integrity as mandated by federal law by:
 - A. Reaching an agreement with the Secretary of the United States Department of Education once federal funds are available;
 - B. Consulting with accredited postsecondary institutions in Washington to develop review standards; and
 - C. Coordinating the review functions mandated by Program Integrity with other oversight agencies for postsecondary education.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 8th day of January, A.D., nineteen hundred and ninety-three.

Booth Gardner
Governor of Washington

BY THE GOVERNOR:

Ralph Munro
Secretary of State

EXECUTIVE ORDER

STANDARDS OF ETHICAL CONDUCT
FOR EXECUTIVE BRANCH EMPLOYEES

I, Mike Lowry, Governor of the State of Washington, by virtue of the power vested in me, declare my commitment to fostering the highest standards of government ethics and integrity. To further this commitment within the framework of current laws, I direct that the following policies, standards, and guidelines be followed as a base of professional conduct for all state agencies and their employees.

This executive order supersedes Executive Order 92-04, which is hereby rescinded. However, many of the standards and guidelines in Executive Order 92-04 reflect the utmost regard for the letter and spirit of existing ethics statutes and, thus, are retained in this order.

POLICY

State government derives its authority from the citizens and exercises that authority solely for their benefit. The citizens have entrusted employees of executive branch agencies with the operation of state government and the stewardship of its human and environmental resources. To protect the public interest it is necessary that both public policy and the process for making public policy decisions be of the highest ethical standards. Employees are, therefore, obligated to treat their offices as a public trust, using their official powers and duties and the resources of the state only to advance the public interest. This obligation requires that all employees:

1. Be independent and impartial in the exercise of their duties, avoiding actions that create even the appearance of using their positions for personal gain or private benefit;
2. Strengthen public confidence in the integrity of state government by demonstrating the highest standards of personal integrity, fairness, honesty, and compliance with both the spirit and the letter of the law;
3. Create a work environment that is free from all forms of unlawful discrimination and harassment;
4. Manage human and environmental resources for the benefit and enjoyment of both current and future generations;
5. Conduct the public's business openly and to the maximum extent consistent with existing law, resolve doubtful cases in favor of free public access;

6. Serve the public with respect, concern, courtesy, and responsiveness, recognizing that service to the public is the primary mission of state government;
7. Promote an environment of public trust free from fraud, abuse of authority, and misuse of public property;
8. Protect the integrity of the decision making process by recognizing and avoiding conflicts between their public duties and private interests and activities; and
9. Respect and protect privileged information to which employees have access in the course of their official duties.

PURPOSE

The purpose of this executive order is to:

1. Establish standards and guidelines for ethical conduct and principles of public service for employees that protect the public trust and promote the public interest;
2. Provide employees with information and guidance regarding ethical conduct;
3. Ensure that agency heads establish standards of ethical conduct for their employees that are applicable to their agencies' activities;
4. Ensure that agency heads establish ongoing education and guidance for their employees regarding standards of ethical conduct;
5. Improve the application of the laws relating to ethics and conflict of interest; and
6. Improve ethical decision making as it applies to public policy issues.

AUTHORITY AND DEFINITIONS

This executive order is adopted pursuant to authority granted to the Governor by Chapter 42.18 RCW, the "Executive Conflict of Interest Act." Employees should not rely solely on this executive order for detailed guidance regarding ethical conduct and conflict of interest. Employees should always review the appropriate state or federal law and any agency standards, rules, and regulations that may relate to a specific activity or question regarding ethical conduct. Nothing in this executive order, including the language paraphrasing statutory provisions, is intended to alter the provisions of Chapter 42.18 RCW or other applicable statutes.

Terms used in this executive order that are defined in Chapter 42.18 RCW shall have the same meanings in this executive order as in Chapter 42.18 RCW. "Executive branch employee" or "employee" means "agency head" as defined in RCW 42.18.040 and "state employee" as defined in RCW 42.18.130.

REQUIREMENTS, STANDARDS, AND GUIDELINES FOR ETHICAL CONDUCT

1. Gifts, gratuities, and favors. RCW 42.18.200 prohibits the employee from receiving or soliciting, directly or indirectly, anything of economic value as a gift, gratuity, or favor if the employee has reason to believe that the donor would not give it except for the employee's position with the state, or if the employee has reason to believe that the donor:
 - a. Has or is seeking a contractual or business relationship with the employee's agency;
 - b. Conducts activities that are regulated by the employee's agency; or
 - c. Has interests that may be substantially affected by the employee's performance or nonperformance of official duties.

RCW 42.18.230(2) prohibits anyone from giving, directly or indirectly, anything of economic value as a gift, gratuity, or favor to an employee if any of the above circumstances exist.

RCW 42.17.2415 requires elected officials and executive state officers who are required to file statements of financial affairs with the Public Disclosure Commission, to also file a statement identifying each gift valued above specified dollar amounts that was received by the officials or officers or their immediate families.

Guidelines. The employee should reject gifts to himself or herself or to his or her family members that may cast doubt on the integrity, independence, and impartiality of the employee or state office. Gifts or benefits, no matter how insignificant, should be rejected if they could be reasonably construed to affect the official judgment or actions of the employee, create any sense of obligation to the giver, or if the purpose or motive for the gift could appear to be improper. Even monetarily insignificant gifts or favors may become significant if they are given with some frequency or come to be expected by the recipient.

In evaluating the propriety of gifts, the employee should, therefore, be sensitive to the source and value of the gift, the frequency of gifts from one source, the possible motives of the giver, and the perception of others regarding the gift. Since no offsetting public good is achieved by accepting gifts, unclear or questionable situations should always be decided by rejecting gifts, gratuities, or favors that may raise questions regarding the employee's integrity, independence, and impartiality.

The following types of gifts, gratuities, and favors are exceptions to the prohibitions contained in RCW 42.18.200. They may be accepted by the employee in situations where the circumstances do not lead to the inference that the official judgment or action of the employee was intended to be influenced.

- a. Unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, or other items of nominal value may be accepted.

- b. Gifts, gratuities, and favors may be accepted when they stem from family relationships (such as those between parents, children, or spouse of the employee and the employee) or personal relationships that are unrelated to the employee's official duties when the circumstances make it clear that those relationships, rather than the business of the giver, are the motivating factors.
 - c. Food and refreshment of nominal value may be accepted on infrequent occasions in the ordinary course of a breakfast, lunch, or dinner meeting or reception where the attendance of the employee is a part of the employee's official duties.
 - d. With the approval of the agency head, bona fide reimbursement for travel expenses and other necessary subsistence may be accepted when the travel is related to the official duties of the employee and for which no state payment or reimbursement is made. Examples include, but are not limited to, reimbursement by other governmental entities or professional associations. Reimbursement should not exceed the amount the employee would be eligible to receive if the state were reimbursing the employee. The employee should reject payment for personal living expenses, entertainment, and travel costs in any case where acceptance may raise questions regarding the employee's integrity. The employee should, therefore, avoid situations where such expenses are paid for by any person or organization that has a substantial interest in the official duties of the employee and where acceptance might create a reasonable perception that the object of the payment is to provide a personal vacation or other benefit for the employee.
 - e. Loans from banks and other financial institutions may be accepted on customary terms to finance the proper and usual activities of the employee, such as the purchase of housing or motor vehicles. Business discounts that are made available to employees as a group may be accepted. Loans and other transactions on terms and conditions not generally available to the public or other employees are prohibited gifts and should be rejected.
 - f. The employee may accept unsolicited gifts of nominal value from foreign or domestic dignitaries or commemorating official occasions, where custom or etiquette so requires. Any gifts of more than nominal value received under such circumstances shall be reported to the employee's agency head, who shall direct the appropriate disposition of them.
2. Outside employment and compensation. RCW 42.18.190 prohibits the employee from engaging in outside employment and receiving compensation for his or her services from sources other than the state of Washington if: (a) the services are not actually performed by the employee; (b) the services are within the course of the employee's official duties; (c) the services involve transactions with the state that the employee may not assist in because they relate to the employee's official state duties (see RCW 42.18.170); or (d) the employee has reason to believe that the outside employment involves a person who:

- (1) Has or is seeking to obtain a contractual or other business relationship with the employee's agency;
- (2) Conducts operations or activities that are regulated by the employee's agency; or
- (3) Has interests that may be substantially affected by the employee's performance or nonperformance of official duty.

RCW 42.18.213 prohibits the employee from asking for or receiving, directly or indirectly, any compensation, gratuity, or reward, or promise of such benefit, other than the employee's normal compensation, for performing or not performing an official duty.

RCW 42.18.215 prohibits an employee from having a direct or indirect interest in any contract, sale, lease, or purchase over which the employee has any supervision. The employee is also prohibited from accepting, directly or indirectly, any compensation, gratuity, or reward from another person who has an interest in such a contract, sale, lease, or purchase.

Guidelines. Whether a given type of outside employment is allowable depends upon the specific duties of the employee and the actual or potential relationship between the outside employer and the employee's agency. Under no circumstances may an employee use his or her agency's personnel, time, material, facilities, equipment, telephones, information, or other resources in connection with outside employment. Nor may the employee use his or her official position to influence any client of his or her agency to secure compensated services from the employee or the employee's outside employer. The employee may not engage in outside employment if the demands of such employment would detract from his or her ability to perform state duties in a satisfactory manner. The employee should not accept honoraria for services when the services are ordinarily performed in the course of his or her official duties.

Agency heads shall provide specific policies, standards, and procedures to ensure that outside employment does not conflict with the proper performance of assigned duties nor is inconsistent with Chapter 42.18 RCW and this executive order. Agency policies, standards, and procedures may be more restrictive than provisions of this executive order. Such policies, standards, and procedures may require the employee to notify his or her agency and receive prior approval from the agency head before engaging in outside employment. Agency heads shall examine positions within their agencies to determine if such notification and prior approval of outside employment should be required. The employee should be aware that approval of outside employment is required under the circumstances set forth in RCW 42.18.190(1)(d).

The following types of outside compensation are exceptions to the prohibitions contained in RCW 42.18.190:

- a. The employee may receive compensation from another governmental entity pursuant to RCW 42.18.190(2).

- b. The employee may continue in a bona fide pension, retirement, group life, health or accident, or other employee benefit plan maintained by a former employer if the former employer makes no contributions on behalf of the employee during the employee's state employment. However, the employee may continue in such plans and receive contributions on his or her behalf from former employers under the following conditions: (1) If the plan qualifies under the Internal Revenue Code; (2) If contributions by the former employer to a plan are not made for periods longer than five consecutive years of state employment or an aggregate of five years out of the preceding ten; or (3) If the plan is provided by a former employer who is a governmental entity.
 - c. The employee may maintain his or her rights acquired under a bona fide profit-sharing or stock bonus plan maintained by a former employer and qualified under the Internal Revenue Code if no employer contributions are made on behalf of the employee based on profits attributable to any portions of the period of state employment.
- 3. Use of official authority for personal gain. RCW 42.18.210 prohibits an executive branch employee from using the power and authority of his or her office to induce or coerce another person to provide the employee with any thing of economic value, directly or indirectly.
 - 4. Use of state resources for personal benefit. RCW 42.18.217 prohibits the employee from using state personnel, money, or property for private benefit of the employee or another.

Guidelines. State property, equipment, personnel, money, services, or time are for public purposes only and shall not be appropriated for personal or private use. This prohibition includes use of office space, typewriters, computers and related supplies and systems, paper, pens and pencils, telephones, postage, stationery, photocopying, vehicles, and other state resources.

Managers and supervisors should not require or suggest that an employee under their supervision perform personal tasks for them. Not only is such use of state personnel improper, but it also demeans the importance of the employee's official duties.

- 5. Assisting in transactions involving the state. RCW 42.18.170 prohibits an employee from assisting another person, whether or not for compensation, in any transaction in which the employee has participated or in any transaction which is, or has been, under the employee's supervision unless the assistance is provided in the course of the employee's official duties. Transactions include any proceeding, application, submission, request for a ruling, or other determination, contract, claim, case, or other matter in which the state has a substantial proprietary interest, which will be subject to state action, or in which the state is or will be a party.

Under RCW 42.18.180, certain transactions are exempted from this prohibition, including those transactions (a) when the employee is acting as a guardian, executor, administrator, trustee, or personal fiduciary (with certain specified limitations) for family members and

others, (b) when the employee is assisting another employee involved in disciplinary or other personnel proceedings, or (c) when the employee is giving testimony under oath.

6. Employment restrictions for former employees. RCW 42.18.221 prohibits a former executive branch employee from:
 - a. Assisting another person in a transaction involving the state in which the employee participated during employment with the state. Exceptions to this prohibition are provided in RCW 42.18.221(6).
 - b. Sharing compensation received by another person for assisting that person in rendering services that the employee is prohibited from providing.
 - c. Within one year of the employee's termination date, accepting employment or receiving compensation from a private business if during the previous two years, on behalf of the state agency, the employee negotiated, administered, or had discretionary decision making influence over contracts with that business worth more than \$10,000; and the former employee's duties with the private business involve fulfilling or implementing the contracts.
 - d. Accepting an employment offer or receiving compensation from a private business if the employee knows or believes the offer or compensation is intended as a reward for performance or nonperformance of a state duty.

These prohibitions do not apply if a former employee works for an employee organization.

Guidelines. These prohibitions are only a summary of RCW 42.18.221. To avoid conflicts of interest, the current employee who contemplates doing business with the state after he or she leaves state employment and former employees who wish to engage in such business activity should thoroughly review RCW 42.18.221 and related statutes and seek legal advice.

7. Use of public office for political purposes. RCW 42.17.130 prohibits an executive branch employee from using state agency property and personnel to support the election of any individual or for the promotion or opposition of any ballot proposition. Exceptions are allowed for elected legislative bodies to express a collective position on a ballot proposition, statements by elected officials in support or opposition to ballot propositions at an open press conference, and activities that are part of the "normal and regular conduct" of the office or agency.

RCW 42.17.190 prohibits an executive branch employee from using any state facilities, directly or indirectly, to support or oppose an initiative to the legislature.

RCW 41.06.250 protects an employee from being forced to make contributions for partisan, political purposes. Also, solicitation of contributions for partisan, political purposes on state property is forbidden.

Guidelines. State offices, equipment, personnel, and other resources are to be used only for official public purposes. Use of such resources for political purposes or to influence the outcome of a ballot election is not only illegal, but also may create an unfair advantage in the election process and is a misuse of public funds. This prohibition applies to political party activities, campaigning, distribution and display of campaign material, and fund raising.

While state resources and personnel may not be used to influence an election, the employee, on his or her own time, has specific rights to engage in partisan political activities and election campaigns. Exceptions include: (a) the classified civil service employee, who may not hold part-time public office in a political subdivision of the state if such office is "incompatible with, or substantially interferes with," the discharge of official state duties; and (b) the employee whose position is financed totally or primarily by federal grant-in-aid funds is subject to federal regulations regarding political activity. (See RCW 41.06.250.)

PRINCIPLES OF PUBLIC SERVICE

1. Duty to actively support open government. To ensure public confidence in the integrity of state government, the employee must conduct the public's business in an open manner and through legally established processes that guarantee accountability and visibility. This entails an understanding of and a strict adherence to both the spirit and the letter of the following laws: the Administrative Procedure Act (Chapter 34.05 RCW); open public records (RCW 42.17.250 - 340), which requires agencies to adopt rules that provide for the fullest assistance to requesters of records and timely action on requests; the Open Public Meetings Act (Chapter 42.30 RCW); the reporting of public officials' financial affairs (RCW 42.17.240 - 243); employee whistleblower protections (Chapter 42.40 RCW); and merit system employment (Chapters 41.06 and 28B.16 RCW).
2. Avoidance and disclosure of conflicts and withdrawal in certain cases. The employee may at times face unavoidable conflicts of interest between public duties and private interests. In these situations, the employee is responsible for protecting the integrity of the decision making process. In some cases, that may mean disclosing the conflict and, if necessary, voluntarily withdrawing from the decision. In other cases, the situation may require the employee to eliminate the interest that creates the conflict.

At times, an employee's relationship with, or position within, a private organization may be perceived as affecting the employee's independence and impartiality on the job. The employee should, therefore, examine such relationships and avoid those that involve organizations whose interests relate directly to the employee's official duties.

3. Creating an environment of public trust. All employees, and particularly agency heads and managers, shall contribute to an ethical work place environment. This involves (a) eliminating all forms of illegal discrimination in employment practices, including discrimination based on age, sex, marital status, race, creed, color, national origin, sexual orientation, or the presence of any sensory, mental or physical handicap (RCW 49.60.180 and E.O. 91-06); (b) creating a work environment free from sexual harassment (EO 89-01); and (c) informing employees

of their rights under the state's whistleblower law; encouraging employees to disclose instances of waste, mismanagement, fraud, and abuse of public authority; and protecting whistleblowers from retaliation (Chapter 42.40 RCW).

4. Adherence to public agency lobbying restrictions. An executive branch employee may engage in publicly funded lobbying only when the lobbying is restricted to providing information, communicating on matters pertaining to official agency business, and advocating the official position or interests of the agency. The employee must report certain expenditures and time dedicated to lobbying the legislature to the Public Disclosure Commission. No public funds may be spent as a direct or indirect gift or campaign contribution to an elected official, officer, or employee. An executive branch employee who lobbies is treated differently than other lobbyists under the law. As such, he or she is held to higher standards of conduct in dealings with the legislature. It is, therefore, the duty of the employee who lobbies to know what is permissible. Certain behavior that may be acceptable for private sector lobbyists may be neither appropriate nor legal for an executive branch employee.

RESPONSIBILITY OF ALL EMPLOYEES

The responsibility for appropriate ethical conduct rests with the employee.

PARTICULAR RESPONSIBILITIES OF AGENCY HEADS

1. Each agency head shall:
 - a. Establish written standards for conflicts of interest that address any special responsibilities and conditions of employment that may apply to their agencies. Agency standards may provide for additional restrictions that are appropriate for the duties of the individual agency, including, but not limited to, disclosure of potential conflicts of interest. Copies of such standards and any revisions thereto shall be filed with the Office of the Governor. (See RCW 42.18.250.)
 - b. Establish internal procedures so that (1) an employee may obtain advice regarding potential conflict of interest issues, and (2) complaints relating to violations of the Executive Conflict of Interest Act are reviewed, investigated, and acted upon. The procedures shall specify to whom requests for advice and complaints shall be submitted.
 - c. Inform their employees of the contents of this executive order and related statutes, standards of ethical conduct for their agency, and appropriate internal procedures. Agency managers are encouraged to discuss these standards with their employees.
2. Each agency head shall be responsible for the administration and enforcement within their agency of the Executive Conflict of Interest Act and any standards of ethical conduct adopted pursuant to that act or this executive order.

PARTICULAR RESPONSIBILITIES OF THE GOVERNOR'S OFFICE

1. The Office of the Governor has the following responsibilities:
 - a. Establish appropriate standards to protect against actual or potential conflicts of interest on the part of state employees. In carrying out this responsibility, the Office of the Governor shall periodically review this executive order and the standards of ethical conduct adopted by state agencies and make recommendations for changes that would strengthen the integrity of state government.
 - b. Maintain and make available on request opinions and rulings relating to questions and issues regarding conflicts of interest, including Attorney General opinions, letter opinions, advisory opinions issued by agency directors and the Office of the Governor, and other formal, authoritative opinions and rulings on conflict of interest questions.
 - c. Maintain a file of agency standards for conflicts of interest submitted by agency heads.
2. In those instances where a potential conflict of interest question cannot be resolved by an agency head, the Governor may use his authority to designate a panel of experts to review questions of potential conflict of interest under Chapter 42.18 RCW submitted by agency heads. Such panels may include representation from the Office of the Attorney General and the Office of the State Auditor. Agency heads should, however, make every effort to respond to and resolve conflict of interest questions relating to their employees at the agency level. Opinions issued by such panels shall be advisory and deal only with hypothetical situations. Employees are responsible for their own ethical conduct.
3. As provided in RCW 42.18.240, the Governor has specific responsibility to enforce the Executive Conflict of Interest law as it applies to agency heads and employees of the Office of the Governor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 13th day of January, A.D., nineteen hundred and ninety three.

Mike Lowry
Governor of Washington

BY THE GOVERNOR:

Ralph Munro
Secretary of State

EXECUTIVE ORDER

IMPLEMENTING THE AMERICANS WITH DISABILITIES ACT

WHEREAS, Washington has a strong history of protecting the rights of people with disabilities through such laws and regulations as the Washington State Law Against Discrimination and the Barrier Free Design Standards; and

WHEREAS[,] the Americans with Disabilities Act strengthens and clarifies the rights of the over half a million Washingtonians with disabilities by further opening the doors of opportunity and inclusion; and

WHEREAS, the Americans with Disabilities Act requires that all services, programs, and activities, when viewed in their entirety, be readily accessible to and usable by people with disabilities, whether such services and programs are directly provided by state agencies or through purchase agreements or other contracts; and

WHEREAS, Washington will not be meeting its most basic responsibility until all Washingtonians can equally participate in and enjoy the benefits of state services and programs.

NOW, THEREFORE, I, Mike Lowry, Governor of the State of Washington, do hereby order and direct as follows:

1. No state agency, board, or commission under the executive branch shall discriminate against an individual on the basis of disability. Individuals with disabilities, whether state employees, applicants, clients of state services, or members of the general public, shall be treated with respect and dignity and provided meaningful access to state services, programs, activities, and employment opportunities.
2. Each executive branch agency shall appoint an ADA coordinator to execute a self-evaluation and transition plan and oversee implementation of the ADA.
3. Executive branch agencies shall ensure that public meetings, hearings, and conferences are held in locations free of mobility barriers, and that sign language interpreters and information in alternate forms (Braille, large print, or audio tapes) shall be provided upon request.
4. In communicating with employees, applicants, clients of services, or the general public, all state agencies shall ensure that Telecommunication Devices for the Deaf (TDDs), sign language interpreters, and information in alternate formats shall be provided upon request.

5. The director of the Department of General Administration shall ensure that all newly-constructed buildings or those undergoing major renovation comply fully with the state barrier free code. The director shall submit the architectural design development plans for newly-constructed buildings and renovations in excess of \$5 million over which he has oversight authority to a panel for review prior to final approval. The panel shall also provide barrier-free access review for plans submitted by the Department of Transportation, natural resource agencies, and institutions of higher education. The panel shall be comprised of representatives from the state Building Code Council, the Governor's Committee on Disability Issues and Employment, and the Office of Financial Management.
6. The Governor's ADA coordinator shall establish a task force to assist state agencies to meet the objectives of this executive order. The task force shall develop consistent policies on the provision of reasonable accommodation and sign language interpreters, the location of TDDs and Braille printers, and other policies that affect all state agencies. The task force shall be comprised of state employees and citizens with expertise in particular ADA issues and shall be convened by the Governor's ADA coordinator as needed.
7. This executive order supersedes Executive Order 79-03, which is hereby rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 24th day of February, A.D., nineteen hundred and ninety-three.

Mike Lowry
Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting
Secretary of State, ASSISTANT

EXECUTIVE ORDER

ESTABLISHING THE STATE REHABILITATION ADVISORY AND
STATE INDEPENDENT LIVING ADVISORY COUNCILS

This Executive Order implements the authority granted to the Governor by the Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1992, and requirements for states participating with the U.S. Department of Education, Rehabilitation Services Administration. The purpose of those acts and regulations is to move toward a collaborative and comprehensive statewide system of rehabilitation services for individuals with disabilities. To do so requires the establishment of state rehabilitation and state independent living councils to advise and assist the state on a broad range of policy and coordination issues.

NOW, THEREFORE, I, Mike Lowry, Governor of the State of Washington, do hereby establish the Washington State Rehabilitation Advisory Council and the Washington State Independent Living Advisory Council.

1. **FORMATION OF COUNCILS AND MEMBERSHIP:**

Each council shall comprise at least 15 members, but not more than 21 members, of which a majority of the voting appointees shall constitute a quorum. Members of the councils shall be appointed by the Governor. A chairperson shall be designated by the members of each council. State executive and legislative appointees shall be ex officio, non-voting members. Terms of membership shall be three years, with the exception that initial appointments shall be staggered in order to assure continuity of the councils: one-third shall be appointed for one-year terms; one-third shall be appointed for two-year terms; and one-third shall be appointed for three-year terms. If a member resigns before completing a term, a new member may be appointed to serve out the remainder of that term.

To achieve a balanced membership on the councils, appointments shall be made with consideration given to geographic representation, gender, and ethnic and cultural diversity. Individuals with disabilities shall constitute a majority of each council.

A. Membership of the State Rehabilitation Advisory Council shall be as follows:

- (1) At least one representative of the State Independent Living Advisory Council, which representative may be the chairperson or other designee of the council.
- (2) At least one representative of a parent training and information center established pursuant to the Individuals with Disabilities Education Act.

- (3) At least one representative of the Client Assistance Program.
- (4) At least one vocational rehabilitation counselor, with knowledge of and experience with vocational rehabilitation programs, who shall serve as an ex officio, non-voting member if the counselor is an employee of the state.
- (5) At least one representative of community rehabilitation program service providers.
- (6) Four representatives of business, labor, and industry.
- (7) Representatives of disability advocacy groups representing a cross section of:
 - a. individuals with physical, cognitive, sensory, and mental disabilities; and
 - b. parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities who have difficulty in representing themselves or are unable, due to their disability, to represent themselves.
- (8) Current or former applicants for, or recipients of, vocational rehabilitation services.
- (9) Ex Officio Members - The Director of the designated state rehabilitation unit shall be an ex officio member.

B. Membership of the State Independent Living Advisory Council shall be as follows:

- (1) At least one director of a center for independent living chosen by the directors of centers for independent living within the state.
- (2) As ex officio, non-voting members:
 - a. a representative from the designated state unit; and
 - b. representatives from other state agencies that provide services for individuals with disabilities.
- (3) The Council may include:
 - a. Other representatives from centers for independent living.
 - b. Parents and guardians of individuals with disabilities.

- c. Advocates of and for individuals with disabilities.
- d. Representatives from private businesses.
- e. Representatives from organizations that provide services for individuals with disabilities.
- f. Other appropriate individuals.

2. ROLES OF EACH COUNCIL:

A. State Rehabilitation Advisory Council Functions:

- (1) To review, analyze, and advise the general vocational rehabilitation program of responsibilities under the Act.
- (2) Advise and assist the general vocational rehabilitation program in the preparation of the state plan, the strategic plan, reports, needs assessments, and evaluations.
- (3) To conduct a review and analysis of consumer satisfaction.
- (4) To prepare and submit an annual report to the Governor, the public, and appropriate state and federal interested parties.
- (5) Coordinate with other councils, as specified by the Act.
- (6) Advise and provide coordination between the general vocational rehabilitation program and the State Independent Living Advisory Council and independent living centers.
- (7) Perform other functions, consistent with the Act, as the council determines appropriate.

B. State Independent Living Advisory Council Functions:

- (1) To jointly develop and submit the State Plan for Independent Living in conjunction with the general vocational rehabilitation program.
- (2) To monitor, review, and evaluate the implementation of the State Plan for Independent Living.
- (3) Coordinate activities with the State Rehabilitation Advisory Council and other councils that address the needs of disability populations.

- (4) Perform other functions, consistent with the Act, as the council determines appropriate.

3. MEETINGS AND OTHER BUSINESS:

- A. Each council shall convene at least four meetings a year.
- B. The Division of Vocational Rehabilitation of the Department of Social and Health Services shall, in conjunction with each council, develop a plan for the provision of such resources as may be necessary to carry out the functions of each council.
- C. Members may be reimbursed for reasonable and necessary expenses of attending council meetings and performing council duties.

This order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to [be] affixed at Olympia this 30th day of April, A.D., nineteen hundred and ninety-three.

Mike Lowry
Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting
Secretary of State, ASSISTANT

EXECUTIVE ORDER

CONTROLLING STATE TRAVEL EXPENDITURES

WHEREAS, travel is often an integral part of the delivery of state services and helps accomplish desired objectives such as improving client contact, staff training, and coordination of government services; and

WHEREAS, it is important to guarantee that all state funds are spent in the most economical and fiscally responsible manner;

NOW, THEREFORE, I, Mike Lowry, Governor of the State of Washington, by virtue of the power vested in me, do hereby order the following standards for travel expenditures in state agencies:

- I. State agency directors shall take primary responsibility for ensuring that any travel by agency employees is directly work-related, obtained at the most economical price, and is both critical and necessary for state business. To this end, all out-of-state travel by agency employees must have prior approval by the head of the agency, or other top-level management staff specifically designated by the agency head.
- II. All travel outside the contiguous United States, Alaska, or British Columbia engaged in by agency heads must have prior approval from my office.
- III. Agencies must maintain internal records documenting the reason for all out-of-state travel, and for any in-state travel exceeding 24 hours in duration. At a minimum, this documentation must contain the following information: the purpose of the trip and how it relates to the employee's work assignment; a description of expected benefits; and a statement of whether an alternative approach could have achieved the same result.
- IV. Agencies are directed to develop and implement alternatives to travel, as well as less expensive means of travel. These methods should include, but are not limited to:
 - teleconferencing, video conferencing;
 - video recordings, published reports;
 - making transportation arrangements through state-qualified travel agents and using centrally contracted air carriers;
 - car-pooling and greater use of public transportation;
 - reduced frequency of regularly scheduled out-of-town meetings;
 - restrictions on the number of staff traveling to the same destination; and

- coordinating between agencies for joint travel arrangements when more than one agency is involved.
- V. When meetings or conferences are necessary, first preference must be given to locations at state or other public (e.g. local government) facilities.
- VI. The Office of Financial Management is directed to develop a policy for use of "frequent flyer" mileage credits earned by agency employees on state business, and to communicate that policy to all state agencies.
- VII. This executive order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to [be] affixed at Olympia this 30th day of April, A.D., nineteen hundred and ninety-three.

Mike Lowry
Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting
Secretary of State, ASSISTANT

EXECUTIVE ORDER

IMPROVING STATE REGULATORY ACTIVITIES

I, Mike Lowry, Governor of the State of Washington, by virtue of the power vested in me declare my commitment to improve Washington's regulatory climate. It is, therefore, the purpose of this executive order to accomplish the following:

- To institute immediate management improvements in state regulatory functions by reducing inefficiencies, conflicts, and delays.
- To develop long-term solutions to complex regulatory issues that, if left unresolved, could impede the orderly growth and sustained economic development of the state.
- To ensure that any regulatory reform solutions designed to support economic benefits also ensure continued protection of the environment, the health, and the safety of our citizens.

To accomplish these purposes, I hereby direct the following actions:

I. Creation of the Governor's Task Force on Regulatory Reform

There is created the Governor's Task Force on Regulatory Reform to consist of not more than 23 members. Membership shall reflect the interests of business, agriculture, labor, the environment, other citizens, the Legislature, cities and counties, and state agencies. Representatives from state agencies will serve as nonvoting, ex officio members. Members shall be appointed by the Governor and the Governor shall select the chair. Staffing for the Task Force shall be provided by the Office of Financial Management, with assistance from state agencies and the Legislature, as may be made available. State agencies shall provide the Task Force with information and assistance, as needed.

The charge of the Task Force is to develop recommendations for statutory and administrative changes that lead to more reasonable, efficient, cost-effective, and coordinated regulatory actions. The recommendations shall support economic benefits for the state while ensuring continued protection of the environment and the health and safety of citizens.

The Task Force shall commence operations upon appointment in August 1993 and terminate on December 31, 1994. The Task Force shall submit interim recommendations to the Governor by December 1, 1993, and final recommendations by December 1, 1994.

The Task Force shall develop recommendations to respond to the following issues:

- A. How should the state's environmental and growth management requirements and processes be integrated so that the goals of environmental protection, orderly and planned growth, and sustained economic development are achieved?
- B. What improvements should be made in project approval, permitting, and appeals processes and structures to make them faster and simpler without undercutting environmental protection?
- C. In addition to actions directed by this executive order, what other mechanisms, structures, and procedures should be instituted to achieve better coordination and consistency in regulatory actions within agencies, between agencies, and between jurisdictions?
- D. Are there effective performance-based, market-based, and other regulatory models that will achieve more efficient and effective regulation than current command and control and technology-based regulatory approaches?
- E. In addition to actions directed by this executive order, are there other ways to expand the use of alternative decision making and dispute resolution models designed to reach consensus and resolve conflict on regulatory issues without resorting to litigation?
- F. Is there a need to amend the state's Administrative Procedure Act or related statutes that would lead to more reasonable, efficient, timely, cost-effective, and coordinated rule-making and adjudication?

II. Expedited Resolution of Interagency Disputes

In partial fulfillment of the intent of Chapter 279, Laws of 1993 (Substitute Senate Bill 5634), any agency that has regulatory responsibilities over areas in common with, or related to, the duties of other agencies is hereby requested to develop jointly with those other agencies procedures for the resolution of interagency disputes regarding regulatory matters. The purpose of these procedures is to avoid litigation and time-consuming delays in regulatory actions by providing commonly understood procedures to expedite the resolution of disputes between agencies. The procedures may include, but are not limited to, the delineation of stages of dispute resolution designed to elevate issues to higher administrative levels within agencies so that the issues may be resolved in a timely manner. Such processes shall be established through the use of memorandums of understanding between agencies, or by other appropriate means. The Office of Financial Management shall monitor and assist in developing model interagency dispute resolution processes for use by agencies. The Office of Financial Management shall cooperate with the Attorney General's Office in the development of these processes.

III. Agency Rule Coordinating Committees

Any agency that anticipates the adoption of rules affecting regulatory programs in other agencies or jurisdictions is hereby requested to convene a temporary agency rule coordinating committee (ARCC), consisting of representatives from those affected agencies or

jurisdictions. An ARCC shall be created by the agency originating the rule in the early stages of rule development to ensure that substantial coordination of regulatory programs is achieved. The purpose of an ARCC is to identify and resolve, to the extent practicable, any potential conflicts, jurisdictional overlaps, or duplication of effort before formal rule adoption occurs.

IV. Implementing and Promoting Negotiated Rule Making and the Pilot Rule Process

To assist in the implementation of Chapter 202, Laws of 1993 (Substitute Senate Bill 5088), the Office of Financial Management shall develop, in cooperation with the Attorney General's Office and other agencies, model policies, procedures, and other information to promote the use by agencies of negotiated rule making and the pilot rule process. Negotiated rule making includes procedures and methods for reaching agreement among interested parties, when possible, on proposed rules before publication of notice and hearings. The pilot rule process is designed to reduce unreasonable economic, procedural, and technical burdens on the regulated community by measuring or testing, in advance, the feasibility of compliance. It includes the use of voluntary pilot study groups.

The purpose of these processes is to involve the regulated community and other affected groups and individuals at the early stages of rule development, thereby improving compliance and acceptance of the rule and reducing the potential for litigation. Agencies are encouraged to review future rule making and identify those instances where negotiated rule making and the pilot rule process may be appropriate.

V. Improving Regulatory Information and Education

It is the goal of state government to improve public information about current and future regulatory actions and better educate agency personnel about managing regulatory activities. To achieve this goal, agencies are hereby requested to comply with the following:

- A. To the extent possible, no later than December of each year, identify and prepare a list of major subjects of potential rule making anticipated for the ensuing calendar year. The list shall be made available, upon request, to affected members of the regulated community and other groups and individuals, including other agencies and jurisdictions. Early identification of potential rule making will facilitate interagency rule coordination and early involvement of interested parties in rule making. Failure to identify a subject of rule making on the list in no way limits or affects an agency's authority to adopt rules on that subject.
- B. Inventory existing publications or other communication materials used to disseminate regulatory information to the public and submit copies of those materials to the state's Business Assistance Center. Using this information, the Business Assistance Center, working with agencies, shall develop proposals for consistent and coordinated approaches for agencies to better inform the public about regulatory requirements.
- C. Participate, as appropriate, in the regulatory fairness training program being developed by the state's Business Assistance Center. The purpose of the training is

to further educate agency regulatory personnel about business costs and concerns, help agencies achieve competency in statutory rule making requirements, share innovative and effective ways to involve and inform the public about rule making and mitigate regulatory impacts, improve the quality of rule writing, and facilitate the establishment of agency rule coordinating committees.

- D. Utilize the services of the Department of Licensing's Business License Center in developing cost-effective delivery of information and one-stop master licensing for agency permits, licenses, certificates, or approvals to perform business activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 9th day of August, A.D., nineteen hundred and ninety-three.

Mike Lowry
Governor of Washington

BY THE GOVERNOR:

Ralph Munro
Secretary of State

EXECUTIVE ORDER

AFFIRMING COMMITMENT TO DIVERSITY AND EQUITY IN
SERVICE DELIVERY AND IN THE COMMUNITIES OF THE STATE,
RE-ESTABLISHING AFFIRMATIVE ACTION AND PROHIBITING
DISCRIMINATION IN STATE WORKPLACES, AND RESCINDING
EXECUTIVE ORDER 91-06

A VISION FOR DIVERSITY IN THE STATE OF WASHINGTON:

The state of Washington is a place where all individuals are respected for their unique qualities.

Educational, economic and other opportunities are open to all people of the state. All persons are encouraged to reach their full potential and in so doing contribute to our community.

The state's cultural environment is built on the values of fairness, mutual respect, understanding and cooperation. The richness of our state's diverse cultures is valued by all citizens and promoted by the state.

Creative innovations result from cooperative efforts of the diverse people of the state of Washington in building communities, solving shared problems and thriving in the global marketplace.

Washington State is known for its wealth of human communities as much as for the beauty of its natural resources and wildlife.

WHEREAS, the state of Washington that values and promotes diversity must create a cultural environment where all people are valued and respected as individuals; and

WHEREAS, people of diverse perspectives arising from a multitude of differences as well as some commonalities must be involved in defining and creating this desired environment; and

WHEREAS, our state's population is comprised of indigenous people and recent immigrants, women and men, children and elders, people with disabilities and diverse family structures, beliefs and experiences; and

WHEREAS, our state can best meet the challenges facing us by tapping into the broad perspectives of its diverse citizenry; and

WHEREAS, the state of Washington can influence the creation of this environment in the communities of the state through the full participation of all citizens; and

WHEREAS, Washington State must create an environment that affirms and validates the unique qualities of each individual, encouraging the development of each person's full potential in making contributions to state service and state communities; and

WHEREAS, our state's success in providing quality services to our citizens is directly related to the quality and composition of our workforce compelling Washington State as an employer to create the highest quality work environment, attracting highly qualified, talented people as a first choice career; and

WHEREAS, education is an important factor in gaining economic access, developing a strong social fabric and promoting understanding and respect for diversity; and

WHEREAS, Washington State government must bring people together to work effectively, efficiently and cooperatively in service to the citizens of the state; and

WHEREAS, historically minority and women-owned businesses have been significantly underrepresented and have been denied equitable competitive opportunities in contracting; and

WHEREAS, state government has traditionally adopted employment policies and procedures to encourage employment practices intended to provide leadership for the private sector and local governments; and

WHEREAS, certain groups, including some which are not otherwise protected under existing state and federal law, may experience discrimination in hiring, promotion, recruitment, and tenure associated with their employment with the state; and

WHEREAS, because of the increasing diversity in the state's work force, it is important that agencies and higher education institutions create an organizational culture that respects and values individual and group differences and encourages the productive potential of every employee.

NOW, THEREFORE, I, Mike Lowry, Governor of the State of Washington, by virtue of the power vested in me, do hereby:

Direct all executive agencies and institutions of higher education to initiate actions to integrate the principles of diversity into all facets of workplace community and in the delivery of services to the people of Washington.

Reaffirm my commitment to the elimination of all barriers to employment which artificially restrict hiring, promotion, recruitment, and tenure on the basis of any physical, cultural, religious, language, or other status which is not directly related to the performance of a job.

Direct that all executive agencies and institutions of higher education to use equitable employment measures and corrective actions to employ, in all job categories, protected group members in accordance with applicable state and federal law.

Direct that full access to employment by persons with disabilities to be provided and that reasonable accommodation to be made to ensure the inclusion of people with disabilities in the work force.

Direct that state executive agencies and institutions of higher education shall not discriminate in employment on the basis of an individual's sexual orientation.

Direct all state executive agencies and institutions of higher education to take reasonable and appropriate steps to value, encourage and seek out the participation in the state work force of persons with multiple language skills where it would better serve our pluralistic society.

Accordingly, in order to implement the aforesaid policies, I direct all state executive agencies and institutions of higher education to:

1. Review policy statements, programs, and procedures to ensure that all possible actions are being taken to assure that fair and equal employment opportunity exists.
2. Maintain a current affirmative action program with specific, measurable goals and objectives for the employment and promotion of protected group members. Programs shall include systems, methods and procedures for achieving these goals.
3. Appoint an official who shall be the chief executive officer, his or her deputy, or another official who reports to the chief executive officer to be responsible for the implementation and supervision of the affirmative action program. The name and title of the person so designated shall be reported to the Department of Personnel within 30 days from the date of this order.
4. Ensure that any state agency's or institution's procedures for evaluating and acting upon complaints of employment discrimination or harassment reflect current state and federal law and the policies promulgated in this Executive Order. Every effort shall be made by agencies of the state to resolve all complaints in the spirit and intent of this Executive Order.
5. Review their rules, policies, procedures and practices to ensure that they support and enhance diversity in the work place.
6. Agency directors shall provide the Governor's Staff Director with a profile of their executive teams annually and submit any changes to the executive team profile to the Governor's Staff Director for approval of prospective new hires; Boards of Regents and Trustees shall annually review the profile of their executive teams for progress toward the goals of this Executive Order. The Governor may choose to meet with Trustees or Regents as desired to review progress by their institutions.

7. Review policy statements, programs and procedures to ensure that all possible actions are being taken to assure that delivery of services provided by their agencies are responsive to needs of diverse clientele and that a variety of communication methods regarding services are effectively used in reaching diverse populations who are eligible for such services.
8. Develop aggressive workplans and efficient reporting systems to maximize the opportunities for women- and minority-owned businesses to directly and meaningfully participate in public works contracts and contracts for goods and services procured by their agencies or institutions, using procedures approved by the Office of Minority and Women's Business Enterprises.
9. Work with the Governor's office to ensure that boards and commissions related to their agency and institution are comprised of individuals from the diverse populations of the state.
10. Agency directors and higher education Boards of Regents or Trustees shall review annually with the Governor progress towards the goals outlined above.

The Governor's Affirmative Action Policy Committee established under Executive Order 91-06 is hereby reestablished as follows. The membership shall not exceed fifteen and shall consist of representatives from state agencies and higher education institutions involved in affirmative action issues. The committee shall include representation from protected groups, the Department of Personnel and employee organizations. Membership on the committee shall also include geographic representation from Eastern and Western Washington. The Governor shall appoint the chair. Members from the general public shall be reimbursed for travel expenses for attendance at meetings of the committee.

The Governor's Affirmative Action Policy Committee which has jurisdiction in the area of employment for the development, approval and oversight of affirmative action plans shall:

1. Advise the Governor on state affirmative action policies and submit recommendations to the Governor for any further action.
2. Approve affirmative action plans for agency implementation strategies and goal progress which meet guidelines established by the Department of Personnel.
3. Approve affirmative action plans for higher education institutions implementation strategies and goal progress which meet guidelines established by the Department of Personnel.
4. Review and evaluate reports and guidelines submitted by the Department of Personnel to determine the extent to which the state is meeting the employment needs of all protected groups and affirmative action obligations under federal and state laws, regulations, and policies.
5. Submit annual reports to the Governor outlining the progress of the state in meeting its goals and timetables.

6. Submit annual reports to the Governor for any further action which it deems appropriate.

The Department of Personnel shall:

1. Provide agencies and institutions with guidelines and assistance for establishing and implementing an affirmative action program, such guidelines to be in accordance with all applicable state and federal laws and regulations.
2. Review and provide technical approval of agencies' and institutions' affirmative action plans and progress reports against established guidelines and state policies. Recommend to the Affirmative Action Policy Committee approval of such plans or corrective action as needed.
3. Develop and implement a positive employment program to incorporate alternative methods and tools that recognize the cultural pluralism present in the population from which we are recruiting.
4. Develop a reporting system for monitoring the progress of each agency and institution toward achieving its employment goals, including a statistical analysis of present work forces.
5. Submit annual reports to the Governor, the Affirmative Action Policy Committee, and the Human Rights Commission.

The Higher Education Coordinating Board shall:

1. Review and monitor progress toward statewide Higher Education Coordinating Board goals and individual institutional goals to improve participation of minorities.
2. Recommend incentives and strategies that will achieve equitable minority participation and diversity in higher education.
3. Develop statewide goals, review and monitor progress toward appropriate statewide Higher Education Coordination Board goals and monitor individual institutional goals to improve the participation of persons with disabilities.
4. Recommend incentives and strategies that will achieve equitable participation of persons with disabilities in higher education.
5. Monitor and report on institutional gender equity plans and compliance of the higher education institutions with the provisions of the state statutes on gender equity for students in higher education.

The Office of Minority and Women's Business Enterprises shall:

1. Provide state agencies and educational institutions with guidelines and assistance for establishing and implementing aggressive economic opportunities for women- and minority-owned businesses in public works and the provision of goods and services to the state; and
2. Evaluate and report to the Governor on agencies' and educational institutions' progress toward their goals.

The Human Rights Commission shall:

1. Provide the Department of Personnel with information to assist them in establishing and implementing the state's affirmative action program in employment. This information will be in accordance with all applicable state and federal laws and regulations.
2. Provide appropriate training in coordination with the Department of Personnel through workshops or other educational programs for state agencies regarding the interpretation and application of federal and state laws and other regulations applying to equal employment opportunity.
3. Advise the Affirmative Action Policy Committee and the Department of Personnel regarding agencies' and higher education institutions' compliance with applicable federal and state laws, regulations, and policies.
4. Consistent with the Commission authority, enforce all applicable federal and state laws and regulations pertaining to nondiscrimination and laws affecting all protected groups to ensure compliance with the content and spirit of this Executive Order.

The Office of the Governor shall:

1. Through the executive cabinet, review affirmative action recommendations and progress reports submitted through the Affirmative Action Policy Committee.
2. Maintain regular communications with the Affirmative Action Policy Committee and other agencies, advisory groups and advocacy organizations concerned with employment discrimination.
3. Take such additional action as deemed necessary which will result in an effective affirmative action program for the State of Washington.
4. Review annually with the directors of agencies progress towards goals on workforce diversity, executive team diversity, responsiveness of service delivery to diverse clientele, and goals for providing aggressive economic opportunities to women- and minority-owned businesses in public works and the provision of goods and services to their agencies or institutions, accessibility to agency programs in accordance with Executive Order 93-03, and diversity of boards and commissions. Review annual progress of higher education institutions and meet as needed with Boards of Regents and Trustees.

5. Identify a liaison within the Governor's policy office to work with the community and appropriate agencies and institutions as an advocate on issues specific to women in the state.
6. Identify a liaison within the Governor's policy office to work with the community and appropriate agencies and institutions as an advocate on issues specific to gay men and lesbians in the state.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 27th day of September, A.D., nineteen hundred and ninety-three.

Mike Lowry
Governor of Washington

BY THE GOVERNOR:

Ralph Munro
Secretary of State

EXECUTIVE ORDER

ESTABLISHING THE GOVERNOR'S COUNCIL ON
AGRICULTURE AND THE ENVIRONMENT

WHEREAS, the agriculture industry in Washington State has been the mainstay of our rural economies and values, as well as consistent supplier of affordable, quality farm products for the Pacific Northwest and the world. The State of Washington competes only with the State of California for the title of the most diverse agricultural state in the nation. Washington produces 90 different crops and leads the nation in 11 of those. The agricultural economy in Washington represents \$17 to \$20 billion or one-fifth of the state's gross product. Food processing has recently become the state's second largest employer. Agriculture is Washington's largest industry.

WHEREAS, production agriculture is a land and water intensive activity which accrues benefits to society. Because agriculture helps maintain our rural areas, the general public is afforded both scenic and recreational benefit. When the impacts of certain agricultural activities or policies begin to conflict with other values, questions and issues arise. Both agricultural and the non-farming public have a mutual interest in the protection of our natural resources.

NOW, THEREFORE, in an effort to provide the leadership agriculture needs to coordinate and communicate among the various commodity and environmental groups, and federal, state, local, and tribal governments, I, Mike Lowry, Governor of the State of Washington, do hereby direct that the Washington Governor's Council on Agriculture and the Environment be established as follows:

The Governor's Council on Agriculture and the Environment shall consist of not more than 24 members appointed by the Governor representing the following organizations: commodities, environmental and conservation, Native Americans, governments, conservation districts, irrigation districts, agri-business, food processors, and general agriculture. The Governor shall select the chair.

The primary support for the Council shall be provided by the Department of Agriculture in cooperation with the numerous other state agencies who may be involved with any of the issues.

The Council shall provide a forum for communication and dispute resolution between agricultural, environmental, governmental, and other interests on issues of mutual concern.

The Council shall provide advice to the Governor, state agencies, and the Legislature with respect to the business climate for agriculture in Washington.

The Council shall provide information and education to the Governor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 29th day of September, A.D., nineteen hundred and ninety-three.

Mike Lowry
Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting
Secretary of State, ASSISTANT